

Applicants respectfully traverse the separation of Group I (claims 1-3 and 18-19) from Group III (claims 13-17). Applicants submit that Group I is closely related to Group III and should be allowed to proceed together. Claims 13-17, which are drawn to a composition (an anti-oxidant medicine for treating a disease caused by oxidation in vivo), and are capable of use together with claims 1-3 and 18-19, which are drawn to processes for using the anti-oxidant medicine for treating a disease caused by oxidation in vivo.

Applicants respectfully submit that the requirements for a proper restriction requirement under MPEP § 803 have not been satisfied. Since Applicants submit that the inventions in Group I and Group III are closely related, Applicants also submit that the search and examination would not present a serious burden. Consequently, Applicants respectfully request that the requirement for restriction should be withdrawn.

For purposes of examination of the present application, Applicants elect, with traverse, Group I, claims 1-3 and 18-19.

For the purpose of examination of the present application, Applicants further elect, with traverse, the species A of claims 1 to 3, which is directed to a method of preventing or treating a disease caused by oxidation in vivo.

Applicants acknowledge that the Examiner does not require electing species of the  $\gamma$  compound. Applicants are willing to

elect the species of 2,7,8-trimethyl-2-( $\beta$ -carboxyethyl)-6-hydroxychromane ( $\gamma$  CEHC) to serve as a starting point for examination on the merits if the Examiner thinks that such an election is necessary.

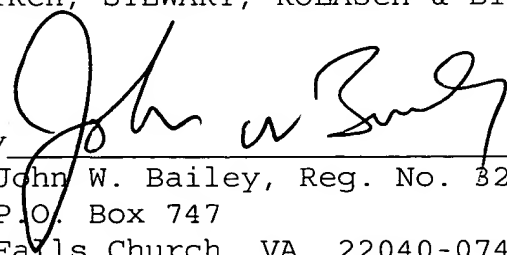
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ping Wang (Reg. No. 48,328) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
John W. Bailey, Reg. No. 32,881  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

  
JWB/PW/end  
0425-0854P

(703) 205-